

Office of the Yavapai County Attorney  
255 E. Gurley Street, Suite 300  
Prescott, AZ 86301  
Phone: (928) 771-3344 Facsimile: (928) 771-3110

1 Sheila Polk, SBN 007514  
2 Yavapai County Attorney  
3 ycao@co.yavapai.az.us

2011 MAR -3 PM 1:22 ✓

4 Attorneys for STATE OF ARIZONA

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

*Jacqueline Harshman*

6 IN AND FOR THE COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

Cause No. V1300CR201080049

8 Plaintiff,

Division PTB

9 vs.

AFFIDAVIT REQUESTING  
ATTENDANCE OF OUT-OF-  
STATE WITNESS

10 JAMES ARTHUR RAY,

11 Defendant.

12  
13  
14  
15 STATE OF ARIZONA )  
16 ) ss  
17 County of Yavapai )

18 SHEILA POLK, being first duly sworn upon her oath, deposes and says:

19 1. She is the Yavapai County Attorney assigned to prosecute the above-noted matter.

20 2. That Defendant, JAMES ARTHUR RAY, was indicted on February 4, 2010 with three  
21 (3) counts of Manslaughter, each a class 2 felony.

22 3. A felony criminal trial is scheduled in this Court and in this matter commencing on the  
23 16th day of February, 2011.

24 4. Affiant believes that MICHAEL BARBER is a necessary witness to matters material to  
25 the issues to be determined at the felony criminal trial and his presence is required by the State of  
26 Arizona to present this matter effectively.

1 5. MICHAEL BARBER is a necessary witness because the State has evidence that the  
2 witness was at the scene of the homicide. State requests that MICHAEL BARBER be required to  
3 appear at said felony criminal trial.

4 6. Affiant is further informed and believes that said witness is out-of-state and within the  
5 borders of the State of California and that there is no undue hardship on the witness in being  
6 compelled to attend and testify at the felony criminal trial scheduled in this matter.  
7

8 It is respectfully requested that this Court certify the presence of said witness to the  
9 responding Court of Record in the State of California under the provisions of the Uniform Act to  
10 Secure Attendance of Witnesses from Without the State in Criminal Cases as enacted in the State  
11 of California under the appropriate provisions of the laws of said State.

12 RESPECTFULLY SUBMITTED this 3rd day of <sup>March</sup>~~February~~, 2011.

13  
14 SHEILA SULLIVAN POLK  
YAVAPAI COUNTY ATTORNEY

15  
16 By: Sheila Polk

17 Sheila Sullivan Polk  
Yavapai County Attorney

18 SUBSCRIBED and SWORN to before me this 3rd day of <sup>MARCH</sup>~~February~~, 2011, by Sheila  
19 Sullivan Polk.

20  
21 My Commission Expires:

22 February 24, 2013  
23  
24  
25  
26

Angela Bowers  
Notary Public

